

AG Contract No. KR95 1460TRN
ADOT ECS File No. JPA 95-119
Project: P0300 01P
Section: Small Area
Transportation Study

INTERGOVERNMENTAL AGREEMENT
BETWEEN
THE STATE OF ARIZONA
AND
THE TOWN OF FREDONIA

THIS AGREEMENT is entered into 27 November, 1995,
pursuant to Arizona Revised Statutes, Sections 11-951 through
11-954, as amended, between the STATE OF ARIZONA, acting by and
through its DEPARTMENT OF TRANSPORTATION (the "State") and the
TOWN OF FREDONIA, acting by and through its MAYOR and TOWN
COUNCIL (the "Town").

I. RECITALS

1. The State is empowered by Arizona Revised Statutes
Section 28-108 to enter into this agreement and has by
resolution, a copy of which is attached hereto and made a part
hereof, resolved to enter into this agreement and has delegated
to the undersigned the authority to execute this agreement on
behalf of the State.

2. The Town is empowered by Arizona Revised Statutes
Section 48-572 to enter into this agreement and has by
resolution, a copy of which is attached hereto and made a part
hereof, resolved to enter into this agreement and has
authorized the undersigned to execute this agreement on behalf
of the Town.

3. The State and the Town desire to participate in
conducting a Fredonia small area transportation study, to
develop and formulate a transportation improvement program of
street and roadway construction projects, all in accordance
with Exhibit A, which is attached hereto and made a part
hereof, at an estimated cost of \$20,000.00, hereinafter
referred to as the Project.

THEREFORE, in consideration of the mutual agreements expressed
herein, it is agreed as follows:

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|--|
| NO. <u>20315</u> |
| FILED WITH SECRETARY OF STATE |
| Date Filed <u>11/27/95</u> |
| <u>Jose R. Lee</u> Secretary of State |
| By <u>Vicky D. Greenwood</u> |

II. SCOPE

1. The State will:

a. Participate with the Town in the selection of a professional transportation planning consultant to accomplish the Project.

b. Review Project progress reports and submittals and provide comments to the Town or the consultant as appropriate. Review and approve the final report prior to the Town's final payment to the consultant.

c. Contribute a maximum of \$20,000.00 to the Project. Be responsible for any consultant claims for extra compensation attributable to the State.

d. No more often than monthly, reimburse the Town on an actual cost basis, in a total amount not to exceed \$20,000.00, within thirty (30) days after receipt and approval of invoices.

2. The Town will:

a. Using State approved procedures advertise for, and with the concurrence of the State, select and hire a professional transportation planning consultant to accomplish the Project. Be the lead agency for the Project.

b. Provide the State timely copies of the Project progress reports and submittals, and insure the incorporation of State review comments. Provide the State a copy of the final report, and obtain the State's approval prior to making final payment to the consultant. Accept the final report on behalf of the parties hereto.

c. Be responsible for all costs over and above the State's \$20,000.00 share, and for any consultant claims for extra compensation attributable to the Town.

d. No more often than monthly, invoice the State on an actual cost basis, with no profit or fee, in an amount not to exceed \$20,000.00, for the State share of the Project.

III. MISCELLANEOUS PROVISIONS

1. This agreement shall remain in force and effect until completion of said Project and reimbursements; provided, however, that this agreement may be cancelled at any time prior to the award of a consultant contract, upon thirty (30) days written notice to the other party.

2. This agreement shall become effective upon filing with the Secretary of State.

3. This agreement may be cancelled in accordance with Arizona Revised Statutes Section 38-511.

4. The provisions of Arizona Revised Statutes Section 35-214 are applicable to this contract.

5. In the event of any controversy which may arise out of this agreement, the parties hereto agree to abide by required arbitration as is set forth for public works contracts in Arizona Revised Statutes Section 12-1518.

6. All notices or demands upon any party to this agreement shall be in writing and shall be delivered in person or sent by mail addressed as follows:

Arizona Department of Transportation
Joint Project Administration
205 South 17 Avenue, Mail Drop 616E
Phoenix, AZ 85007

Town of Fredonia
Town Clerk
Town Hall
Fredonia, AZ 86022

7. Attached hereto and incorporated herein is the written determination of each party's legal counsel that the parties are authorized under the laws of this state to enter into this agreement and that the agreement is in proper form.

IN WITNESS WHEREOF, the parties have executed this agreement the day and year first above written.

TOWN OF FREDONIA

STATE OF ARIZONA

Department of Transportation

By Brent Mackelprang
BRENT MACKELPRANG
Mayor

By Peter L. Eno
PETER L. ENO
Contract Administrator

ATTEST

By Barbara Kimball
BARBARA KIMBALL
Town Clerk

SCOPE OF WORK

The Circulation Element will assist the Town of Fredonia in developing a comprehensive transportation system which address the circulation planning of the study area as it relates to the land use policies set forth in the General Plan. The Circulation Element is to be prepared to provide coordination of future economic development and land use with the future transportation demands. This element should present the existing transportation conditions, and should identify a variety of issues and problems which the local government officials should be directing efforts to resolve. Describe the policies, strategies and transportation facilities needed to accommodate travel demand.

Minimum work tasks are as follows:

1. **Detailed Proposal -.** The first work task will be to present a detailed work plan to the TAC for review and comment. Accompanying the work plan will be work flow charts, time schedules, map of study area boundaries, and all major street and highways to be included in the study. The detailed proposal is to include a section on VISION, GOALS AND OBJECTIVES. Develop the vision statement, identify several goals, with numerous objectives for each goal identified in a work plan submitted to the TAC.

Town of Fredonia will provide the following data:

- Base maps for 1995 aerial photography
- 1995 census data by census tract (population and employment)
- Population and employment forecasts
- Existing Land use
- Current turn-movement and traffic counts
- Street and traffic control inventory (number of lanes, pavement type, stop signs, traffic control)
- Verify ADOT's accident history against police records
- Reproduce all distribution materials for Open House/Public Meetings including graphic arts and display panels
- Advertise and provide meeting facilities for all Open House/Public Meetings
- Staff and present distribution materials at two Open House/Public Meetings

2. **Current Conditions** - Necessary background information on current land use patterns, travel data and behavior, street conditions, financial resources, demographic and economic characteristics will be inventoried and evaluated. The consultant is to describe and analyze existing physical, cultural and economic data and conditions specifically addressing:

- Natural Resources such as National Parks and Recreation Areas
- Land Use and Zoning
- Large property Ownership
- Transportation Circulation
 - -Street System Inventory
 - -Traffic Volumes
 - -Planned Improvements
 - -System Deficiencies by traffic congestion, unacceptable levels of service, accident frequency, offset intersection alignment and access/mobility issues.
- Economic Development Opportunities of the Community

Current land use patterns will be documented and analyzed with attention focused on key transportation demand variables such as, but not limited to, population (resident, seasonal, and tourists) and employment. Also, special traffic generators will include both the North and South Rim of the Grand Canyon National Park. Travel behavior and demand will be estimated and documented utilizing appropriate forecasting techniques for highway planning. Current economic activity will be documented and analyzed for labor force and employment trends.

By analyzing the above information, as well as input from local leaders, individuals and the Committee, the consultant will document the current principal transportation problems and concerns in study area.

Documentation will consist of a working paper submitted to the TAC.

3. **Problem Identification** - Identify specific transportation issues which have the potential to be of concern over the next twenty years. These issues are to include congestion, levels of service, safety, and access. In order to forecast travel demand, future land use patterns will need to be developed. This will include economic development concepts, economic target analysis, future land use plans, critique of the general plan and the consultant's creativity with transportation as a marketing tool to enhance economic development. The future land use patterns should be in accord with the communities' water supply and with projections of population and employment. Land use projections will be translated into projected travel demands.

By analyzing the above information, as well as input from local leaders, individuals and the Committee, the consultant will document the future principal transportation conditions, infrastructure requirements, and issues in the study area.

Documentation will consist of a working paper submitted to the TAC.

4. **Planning Guidelines** - Develop the circulation planning guidelines to enhance the General Plan. These guidelines are to include the following sub-sections:

- Traffic Impacts of New Development
- Street Design
- Driveways
- Access Control
- Traffic Signals
- Functional Roadway Classification System
- Pavement Management

Documentation will consist of a working paper submitted to the TAC.

5. **Implementation Program and Guidelines** - Develop an Implementation Action Program and Guidelines. List the action necessary to carry out the circulation element. Identify the intent of accomplishing that particular action. Establish the target time frame within the 20-year planning horizon for implementation of the action. Assign the elected or appointed body, agency, group, individual or volunteers principally responsible to initiate the implementation action. List the potential funding, governmental agency staff, volunteer or other community resources necessary to achieve the implementation action.

Documentation will consist of a working paper submitted to the TAC.

6. **Public Participation** - The consultant shall solicit and document public input. This will include interviews with elected officials, planning commission members, and representatives from the Council of Governments, Chambers of Commerce, Forest Service, Bureau of Land Management, Indian Tribes, civic and environmental clubs, and others as appropriate. Applicable working papers may be mailed to such representatives to solicit comments.

Prepare the necessary materials to support at least three Open House/Public Meetings. Support to include study purpose, study progress, current activities, transportation issues, opportunities, problems and key findings. Develop procedure to record public comment and document follow-up actions as to how the comments are handled. At least one public meeting must be held and staffed by the consultant in conjunction with a regular Planning and Zoning Commission and/or meeting of elected officials at the draft final report stage. Document the public participation process and submit to the TAC.

7. **Study Products** - Required products include a transportation plan and a transportation improvement program (TIP). The transportation plan should describe policies, strategies, and facilities to accommodate current and future travel demands and to make efficient use of the existing transportation system.

The TIP is to identify specific projects which are prioritized over a five year period and is to be consistent with the transportation plan. The Transportation Improvement Program will list all projects by their administration jurisdiction and will include route name, begin-end termini, year needed, total length, estimated cost, constant or current dollars, source of cost estimate, current/forecast ADT, problem(s) and solution(s).

Documentation will consist of integrating the approved working papers and major products into the final report. Documentation to also include submission of floppy diskettes to the TAC in Microsoft Word 6.0 format. Statistical data will be documented on diskettes using either a data base manager and spreadsheet application software which is MS-DOS compatible.

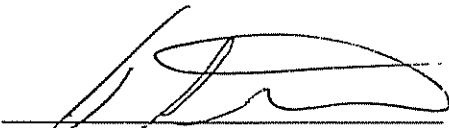
The final report will be designed to serve as the transportation and circulation element of the General Plan. An executive summary will also be prepared.

Note: The final report is to receive concurrence by ADOT and acceptance by Town prior to final payment.

RESOLUTION

BE IT RESOLVED on this 6th day of July 1995, that I, the undersigned LARRY S. BONINE, as Director of the Arizona Department of Transportation, have determined that it is in the best interests of the State of Arizona that the Department of Transportation, acting by and through the Highways Division, to enter into an agreement with the the Town of Fredonia for the purpose of defining responsibilities for a small area transportation study.

Therefore, authorization is hereby granted to draft said agreement which, upon completion, shall be submitted to the Manager, Transportation Planning for approval and execution.



for LARRY S. BONINE
Director

RESOLUTION 92-3

BE IT RESOLVED by the Mayor and Town Council of the Town of Fredonia at its regular meeting of November 12, 1995, as follows:

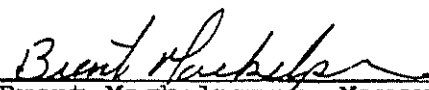
That the Town is desirous of having a small area transportation study conducted in connection with certain aspects and effects of the flow of traffic through the Town so as to be able to develop and formulate a transportation improvement program of street and roadway construction; and

That the Town is desirous of participating with the State of Arizona in selecting a competent consultant to conduct said study and submit such reports as may be appropriate to the State and Town in connection therewith; and


That the Town is willing to be responsible for all costs over and above the sum of \$20,000 that may be reasonably incurred in obtaining such study, it being understood that the State of Arizona will pay the consultant's claim up to that amount; and

That the Town is empowered to enter into an Intergovernmental Agreement with the State of Arizona by Article 3, Chapter 7, Title 11, Arizona Revised Statutes, and that by this resolution it delegates to the Mayor the authority to execute such an agreement on behalf of the Town in the form set forth in Exhibit "A", attached hereto and made a part hereof.

ADOPTED by a unanimous vote of the Mayor and Councilmembers in open meeting at Fredonia, Arizona, this 12 day of November, 1995.


Brent Mackelprang, Mayor

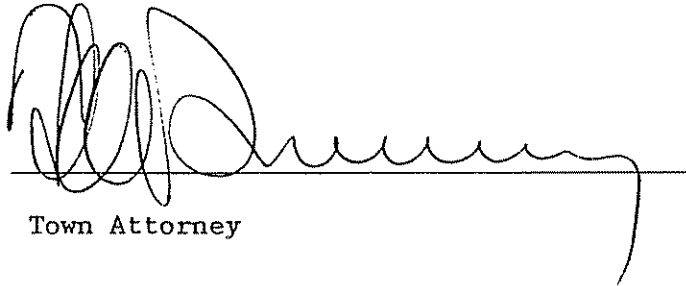
ATTEST:


Barbara Kimball, Clerk

APPROVAL OF THE FREDONIA TOWN ATTORNEY

I have reviewed the above referenced proposed intergovernmental agreement, between the DEPARTMENT OF TRANSPORTATION, HIGHWAYS DIVISION and the TOWN OF FREDONIA and declare this agreement to be in proper form and within the powers and authority granted to the Town under the laws of the State of Arizona.

DATED this 2nd day of October, 1995.



Town Attorney



STATE OF ARIZONA

OFFICE OF THE ATTORNEY GENERAL

GRANT WOODS
ATTORNEY GENERAL

1275 WEST WASHINGTON, PHOENIX 85007-2926

MAIN PHONE : 542-5025
TELECOPIER : 542-4085

INTERGOVERNMENTAL AGREEMENT
DETERMINATION

A. G. Contract No. KR95-1460-TRN, an agreement between public agencies, has been reviewed pursuant to A.R.S. §11-952, as amended, by the undersigned Assistant Attorney General who has determined that it is in the proper form and is within the powers and authority granted to the State of Arizona.

No opinion is expressed as to the authority of the remaining parties, other than the State or its agencies, to enter into said agreement.

DATED this 21st day of November, 1995.

GRANT WOODS
Attorney General

A handwritten signature in cursive script, reading "James R. Redpath", is written over a horizontal line.

JAMES R. REDPATH
Assistant Attorney General
Transportation Section

JRR:ggt
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